

**TOWN OF LODI
TOWN BOARD MEETING MINUTES
FEBRUARY 23, 2016**

1. **Pledge of Allegiance:** lead by Chairman Marx.

2. **Call to order & roll call:** Meeting called to order at 6 pm by Chairman Marx. Board members present: Tom Marx, James Brooks, James Bechen, Robert Benson, Mark Vander Waal. Audience: Craig Ness (representing his parents Richard & Constance Ness), Jim Grothman (Grothman Surveying), Don Nichols (Columbia County Highway Dept.), David & Tracy Erickson, Pat Cadigan (Tri-County Paving), Mike & Ellen Keller, Joe Fobes, Cliff Ianella, Joe Fobes, Mike & Mary Linak, Doug Van Buren.

3. **Citizen Input:** none

4. **Erickson Rezones: creating a new 5-acre lot on Parcel 706.4 to be rezoned from A-1 Agriculture to RR-1 Rural Residence and 20-acre Parcel 705 plus the remaining 10-acres of Parcel 706.4 currently zoned A-1 Agriculture, to be restricted by applying the A-4 Agriculture Overlay District, located in S34, T10N, R8E @ N541 STH 113, owned by David & Tracy Erickson:** Grothman – the Erickson’s a rezoning a 4-acre (corrected from 5-acre) piece of land to RR-1 Rural Residence so that a home can be built on it, but also allows for a regulated # of animals (depending upon what kind of animals). The property is located across the road from the slaughterhouse on STH 113. The Erickson’s driveway will be (and has been for many years) going over the Union Pacific railroad tracks, with a permit from the railroad. Marx – the Plan Commission approved the rezones unanimously at their 1/27/16 meeting.

Benson/Brooks motion to approve rezones as requested; MC 5-0.

5. **Pleasant Valley/Ness Preliminary Plat – Pleasant Valley: creating 10 residential lots on 15.69-acre Parcel 11022-487.02 located in S22, T10N, R8E @ W10518 County Highway J, owned by Richard & Constance Ness:** Grothman – the driveway that leads up to the current Ness home on this property is an engineered driveway. The driveway will be extended up to a cul de sac. We’ve had detailed discussions regarding the stormwater management plan, and still have items to work on to finalize that. The lots will all be between 1.0 – 1.5 acres each. Benson – it appears the 2 issues unresolved are the stormwater management plan and the lot sizes. Grothman – correct, plus we’re looking to develop this all 10 lots at the same time, not in phases. Benson – so if we were to approve this tonight where would those unresolved issues lie? Marx – I believe that is addressed in the amended motion that the Plan Commission approved at their 1/27/16 meeting. Bechen – one of the things mentioned by Plan Commission Chairman Kris Krause, and agreed upon by the rest of the Commission members, was that this development did not fall under the Conservation Subdivision category. Grothman – that is because of the # of lots, the fact there is only 1 road. Benson – I’m in favor of this, because we have limited development expansion options in the town right now, but are we setting a precedent in allowing these lots smaller than our ordinances request. Grothman – the area around this development will remain greenspace, woods, and Ag lands. Benson – but if we approve the Preliminary Plat this evening, what happens with the stormwater management plan that isn’t final yet? Grothman – this is only the Preliminary Plat. Before we can submit the Final Plat the stormwater management plan will have to be complete. Brooks – I don’t see how we can approve this with the lots that are less than the 1.5 acres required by our ordinances. Benson – allowing these smaller lots are allowed as a variance to our ordinances.

Benson/Bechen motion to approve the same amended motion as stated/approved by the Plan Commission on 01/28/16 as follows:

WHEREAS, the first version of the preliminary plat of Pleasant Valley was a concept plan and erosion control plan for Pleasant Valley plat that was submitted by Developer on April 15, 2015; and

WHEREAS, the Lodi Plan Commission met on May 14, 2015, for its initial review of the preliminary plat prior to which Town Engineer John Lichtenheld had submitted a report concerning significant issues existing with the Pleasant Valley plat; and

WHEREAS, due to the issues relating to the preliminary plat as originally submitted, the Plan Commission requested an extension of the 90day preliminary plat review period due to the necessity of completing a comprehensive plan amendment, and for other reasons, which was not rejected by Developer; and

WHEREAS, on October 2, 2015, Developer submitted a revised preliminary plat for Pleasant Valley which included a memorandum from Developer's engineer addressing some of the existing concerns with the property; and

WHEREAS, on November 12, 2015, Developer submitted another revised preliminary plat for Pleasant Valley and the Town of Lodi Plan Commission reviewed the status of the preliminary plat; and

WHEREAS, on December 22, 2015, Developer submitted a further amended preliminary plat as well as road design plans and a storm water management plan for the Pleasant Valley Subdivision; and

WHEREAS, the Town Engineer provided a memorandum report on the issues of the December 22, 2015 plat in a report dated January 18, 2016; and

WHEREAS, the Plan Commission of the Town of Lodi supports the development of the plat of Pleasant Valley, so long as the plat complies with the following conditions;

NOW, THEREFORE, upon the analysis and recommendations of Town Staff, a Motion is hereby made to recommend to the Town Board conditional approval of the preliminary plat of Pleasant Valley upon compliance with the following conditions prior to approval of the final plat:

- 1. Full compliance with the Town Engineer's review memoranda dated May 6, 2015, October 9, 2015 and January 18, 2016.*
- 2. Upon approval and recording of the final plat, Developer shall be permitted to sell Lots 1, 2, 9 and 10 ("Phase 1") so long as the storm water management plan for these lots which takes into account the future development of Lots 3 through 8 ("Phase 2") is installed, but without the necessity for constructing the otherwise required public road improvements for Pleasant Valley Road.*
- 3. Public road dedication of Pleasant Valley Road should not occur until after the Town's approval of the development agreement for Phase 2.*

4. *In accordance therewith, Developer shall execute a restrictive covenant in a form satisfactory to the Town Attorney prohibiting conveyance of Phase 2 of the Pleasant Valley plat until such time as the public improvements for those lots are installed. This restrictive covenant shall be a restriction for public benefit pursuant to Wis. Stats. §236.293 and shall not be amended without the consent of the Lodi Town Board.*
5. *The Town of Lodi shall complete and Columbia County shall approve a revision to the Town of Lodi Comprehensive Plan changing the land use of the area within the Pleasant Valley plat to single-family residential.*
6. *Revision of the layout of the preliminary plat of Pleasant Valley to contain lot sizes between 1.0 – 1.5 acres” for lots developed that are not planned for connection with public sanitary sewer facilities.*
7. *Prior to undertaking the development of Phase 2 of Pleasant Valley, Developer shall submit a report detailing that the existing driveway complies with Section 10.07(b)(2) and 10.06(d) of the Town of Lodi Municipal Code. If the existing driveway does not so comply, Developer shall rebuild the driveway to public road standards and provide a public road that provides service to the Phase 2 lots in the plat complying with the said Lodi public road standards and complies with the maximum road grade for local roads in Section 10.07(a)(14)(a) of the Town of Lodi Municipal Code.*
8. *Developer shall provide soils testing of the plat to determine the suitability of the lots for conventional private on-site wastewater treatment facilities.*
9. *Developer shall provide construction plans, road cross sections, plans and profiles and specifications to the Town for the said public road at the time of approval of Phase 1. Developer shall provide the required storm water management facilities at the time of construction of the Phase 1 improvements.*
10. *Developer shall submit a Development Agreement for the first phase of the public improvements in form satisfactory to the Town Attorney along with security satisfactory to the Town Attorney in the amount of 120% of the estimated costs of the Phase 1 improvements.*
11. *Developer shall pay fees in lieu of public park land dedication for the plat in an amount per lot in compliance with the current indexed amount of said park fees per lot for the lots in Phase 1 of the Development. Park fees for Phase 2 of the Development shall be paid at the time of approval of Development of the said Phase 2.*
12. *Developer shall submit a comprehensive storm water management plan and erosion control plan for Phase I and Phase II which shall include the design, estimated costs, cost allocation and timeframe for commencement, completion and construction of storm water management facilities on the Pleasant Valley plat to a design acceptable to the Town, that shall include an adequate plan for access to the private storm water management facilities.*
13. *Developer shall submit documents for a homeowner's association for the property owners payment for the maintenance that will own lots in the Plat of Pleasant Valley that*

shall include a plan for the maintenance of the private storm water management facilities in the plat.

Roll call vote: Marx – yes, Brooks – yes, Bechen – yes, Benson – yes, Vander Wall – yes; MC 5-0.

6. Ordinance 2016-01 “An Ordinance to Adopt State Traffic Statutes by Reference for Local Enforcement”: Marx – the reason this is on the agenda is because we now have the City of Lodi Police Dept. as supplemental law enforcement services. Without adoption of this ordinance the town does not get the fees for citations issued, the money goes either to the County or the State.

Benson/Brooks motion to approve Ordinance 2016-01 as prepared/presented; MC 5-0.

7. West Harmony Drive town-owned boat launch and public access: Marx – when I was campaigning for this office I was asked about the lack of parking for users of this boat launch, and recently someone came into the office asking about the same. Benson – I don’t know if there is a good answer. I do know it’s difficult to come in there with a boat and trailer. Goeske – insert. Bechen – this problem has gone on for a long time. But the signs that state “no parking” on both the boat launch and the public access were not authorized by the Town Board, they were ordered by a previous Chairperson. There’s been a significant increase in use of all boat launches in the Town of Lodi. We have to be cognizant of the residents along these roads who have these vehicles/trailers parking on the road in front of their homes because there is no where else to park. Vander Waal – we legally have to have these boat launches, but I don’t know that we have to make all of them easy to use. I’d be more inclined to be on the side of the homeowners in the area, if they’re planting bushes, etc... they’re not going to plant them 15’ in their yards so as not to be in the actual full road right-of-way. Marx – it’s a difficult situation, the 4 homes adjacent to these homes will either have vehicles/trailers parked in front of their homes or along the accesses. I’d think it makes more sense, for emergency purposes, to get vehicles off of parking along the road in front of homes. Brooks – I think the current signs need to be removed, they were not approved by the Town Board.

Benson/Brooks motion to remove the “no parking” signs on both the West Harmony boat launch side and the access on the other side; MC 5-0.

8. 2016-2017 Election Inspector - Sandra Hoke: *Bechen/Vander Waal motion to approve; MC 5-0.*

9. 2015-2016 Operator License: Randal Rybarczyk (KD’s): *Vander Waal/Bechen motion to approve; MC 5-0.*

10. Roadwork 2016: Marx - We have \$50,000 to expend for Streets Repairs & Maintenance and \$221,840 for Streets - Outlay, totaling \$271,840 for 2016. Nichols has prepared us reports for Candidates for Paving Projects, Candidates for Sealcoat Projects, Candidates for Crackfilling Projects. The major Paving project I’m recommending be done in 2016 would be Rodney Drive. One suggestion made was that we bid out this project. Bidding out would cost us an additional 10% for engineer costs. The cost estimate from Columbia County Highway for Rodney comes to around \$100,000. But then you add the additional costs for the extra work required by the estimated 30 driveways on this road, plus gravel along the road. Costs also depend on what asphalt prices come in at (Nichols – in about a week). The Paving, Sealcoating and Crackfilling projects I have highlighted in these reports comes to approx.. \$241,000. Benson – I’d like to see what the total is to do ALL of the crackfilling on roads with Paser ratings of 7. Crackfilling is the best investment by far. Nichols – I agree, you have to keep your good roads good. Benson – so I’d like to see us spend more money on crackfilling. Also, Lange road is in terrible shape, becoming unsafe. Marx – if you have sealcoat projects and cut them off to do only the Paser 5’s, not 6’s – and use that money for crackfilling projects instead. Benson – I agree. Crackfilling

keeps moisture out of the road, and makes them last longer. Bechen – I think we should Crackfill the roads listed under “Sealcoat” that are rated Paser 6. Marx – we need to make a decision this evening regarding Rodney Drive so that if we’re going to bid it out. If we just go with Columbia County then it doesn’t have to go out to bid. I’d like Nichols to explain how the County has changed their process for better quality roadwork. Nichols – we’re encouraging adding gravel to roadbeds, and pulverizing the current blacktop into the gravel, and then pave over that – getting away from overlays. Ianella – what is the life of crackfilling? Nichols – you hope to get 20 years out of a road, paving then crackfilling in X number of years later, and then sealcoating in X number of years, before it has to be redone again. Ianella – are you still doing chipseal (tar over pebbles)? Nichols – we do. Mary Linak (PICA) – at PICA we’ve done the crackfilling in both methods, and haven’t found them to work all that well, the cracks seem to open up again the next year. Bechen – that could be because those are driveways and not the same construction standards as a road.

Marx – I do know that John Lichtenheld’s estimate for Rodney Drive was \$150,000 and the county’s is \$158,000, so do we spend the 10% for engineer fees to see which is a good price.

Benson/Bechen motion to have Lichtenheld spec out to bid the Rodney Drive project; Roll call vote: Marx – no, Brooks – yes, Bechen – yes, Benson – yes, Vander Waal – yes; MC 4-1.

11. Undesignated Fund: Marx – we currently have \$330,514 in this fund. One school of thought says this fund should be 25% of your budget (ours = 1,000,000 so 25% = \$250,000), the WTA says this fund should be around 15% (which would be \$150,000). With the anticipated \$60,000 remaining from our 2015 budget that’d make the undesignated fund at \$390,000.

Benson – I think we should make our Streets R&M and Outlay to \$400,000 for 2016.

Benson/Bechen motion to sealcoat all Paser 5’s on the Candidates for Sealcoat Projects page, and crackfill all Paser 6’s on the Candidates for Sealcoat Projects page, plus crackfill the Paser 7’s highlighted on the Candidates for Crackfilling Projects page, up to \$400,000; Roll call vote: Marx – no, Brooks – no, Bechen – yes, Benson – yes, Vander Waal – yes; MC 3-2.

Fobes – taking that much money out of the Undesignated Fund I’d think you’d want some citizen input on how to spend that money. Marx – if someone has ideas of what the money should be used on they can bring it before the Park Commission or Town Board. Goeske – for the past 3 years the town has not used up a lot of the road budget each year. INSERT.

a. roadwork 2016: see above

b. town hall equipment: Marx – one of the ideas has been a large screen that we could project things like the road maps, preliminary plat, etc... that have been discussed at this meeting, so that the audience could see them too. Brooks got a estimate of \$2,698.94 for INSERT from Magnolia Audio-Video. Brooks – with this everyone in the room could see what the board is looking at. It might not be bad to pay an additional \$150-\$200 for the service plan in case something would happen to it it’d be replaced free.

Benson/Vander Waal motion to accept this contract/Invoice AQ8VGZ dated 02-08-16, plus a service agreement not exceeding an additional \$300; MC 5-0.

c. other: none

12. Deer damage & population control: Bechen – I talked to Marx about this subject last week. I live on Arbor Valley, surrounded by woods. When I built my house 9 years ago we'd see a deer now and then. But now it's not uncommon to see 12-20 deer each night! I've talked to other residents in my subdivision, and all of us have severe damage done by the deer to our trees, bushes, yards, etc... The deer population has exploded. Ianella – this is the case in a lot of the area around here. A couple of days ago I had some Japanese Ewes out in front of my home that I had Xmas lights on, and deer drug the lights out and onto the road, and ate much of the bushes. Fobes – there are a number of people in my area that are feeding the deer, which makes the problem worse. Benson – it's also illegal. Maybe we should put something in the newspaper about that. In one area I know sharpshooters were allowed, and it nearly started a war with people in the area. One idea would be to allow bow hunting within the town. The realization is that the only way to control the population is to hunt them, and each doe equals 3 more deer each year. Vander Waal – I had a deer die in my front yard, and trying to get rid of it was a real problem. The county told me that if I dragged the deer out to the edge of the road they would pick it up within 2 weeks. So now that deer is frozen to the ground. I agree the only way to help solve the problem is to eliminate some of the deer. But how to do that safely near a residential area is another concern. Mike Linak – we've lived out here for 6 years, the best year we had with less deer problems was when there were coyotes, but then the coyotes were all killed and now the deer are worse. Benson – coyotes are open season animals.

Goeske will follow up on the WI DNR information she obtained on the internet today.

13. Chairman Report: Public Access off of Summerville Park Road – a letter was sent out to all property owners adjacent to this access. Fobes/Chandlers would like to purchase that this is adjacent to their property, as well as Aikens. But Jager's don't want it vacated and don't want to purchase what is adjacent to them. PICA is also not interested in purchasing what is adjacent to them, nor in it being vacated. I talked to Atty. Bechler and he said yes we can vacate it and sell it, but if not all property owners agreed then the town could open itself up to litigation. So any money we'd get for selling it up could end up being used to pay for attorney fees. Benson – I'd like another legal opinion. If we offer it for sale equally to all parties I don't see how that would open us to possible litigation. Bechen – this seems to be a simple subject that has become not so simple. Mary Linak – we'd like to know what the total cost would be to purchase the land plus the additional attorney fees incurred.

We had a dog feces complaint on Park Street. They suggested signs and maybe collection receptacles with bags for collection of this.

CTH V parking – Okee: I went to the County Highway Safety Committee meeting. They are going to be removing all the "no parking" signs on the west side down to almost Shamrock.

I did contact the owner adjacent to the Okee Schoolhouse asking if they'd be willing for an easement for parking, and received a resounding no.

Focus on Energy: I talked with Paul Fisk. The City of Lodi is having a free energy audit done on the LAFD and EMS buildings.

Brooks and I met with Lodi Police Chief Klicko, and then I met with Mayor Fisk and Chief Klicko since the last Town Board meeting. I have copies of some of the reports compiled for the Town of Lodi, with required information redacted. They report cooperation between their department and the Col Co Sheriff has been great. Bechen – since we have now approved the State Statutes, how soon will that take effect? Marx – tomorrow.

14. Clerk-Treasurer Reports:

a. Town Board meeting minutes: *Benson/Bechen motion to approve as prepared; MC 5-0.*

b. Revenues vs. Expenditures 01/01/16 – 02/19/16: Revenues = \$524,615.63; Expenditures = \$210,374.75; Net Income = \$314,240.88.

c. Payment of Bills: *Benson/Brooks motion to approve ACH 18/120 for \$1,155.00 + checks #20944 through #20998 for \$2,336,758.44, totaling \$2,337,913.44; MC 5-0*

d. Building Permits:

Lodi Issue Date	Lodi Permit #16-	TOWN OF LODI		2016 BUILDING PERMIT LOG	
		Owner or Contractor	Site Address	Estimated Cost	Project Description
01/04/16	01	ERNEST TUCK	W10867 W. Harmony Dr.	900.00	shed
01/11/16	02	TOM HANLEY	N2752 Summerville Park Rd.	150.00	electrical & alteration
01/11/16	03	PAMELA STIEREN	N2632 CTH V	9,500.00	plumbing upgrades
01/14/16	04	FRANK QUINN	W10948 Lake Point Dr.	1,600.00	electrical upgrade
01/20/16	05	DAVE MITCHELL	Demyck Rd.	0.00	access/driveway
01/29/16	06	ALAN LONG	W11114 Pollock Rd.	20,000.00	shed
				32,150.00	JANUARY:
02/01/16	07	DAVE MITCHELL	W11522 Demyck Rd.	160,000.00	NEW HOME
02/01/16	08	JOHN WOPAT	N1597 Kohn Rd.	1,000.00	new elec service
02/04/16	09	ERWIN LUCKMANN	W10929 Arbor Valley Rd.	5,000.00	remodel
02/12/16	10	ANDREW KOPMEYER	W11102 Pollock Rd.	20,000.00	basement remodel
02/12/16	11	CASEY CHANTHAPONE	W11597 Demyck	5,000.00	enclosing carport
02/19/16	12	CHUCK VERRI	N2190 Okee Bay Ct.	45,000.00	kitchen/bath remodel
				236,000.00	FEBRUARY:
				268,150.00	

e. Animal Control Officer Log: nothing to report

f. Communications: none

15. Commissions/Committees/Districts/Departments:

a. Plan Commission (Marx/Bechen): met 1/28/16 taking action on what are agenda items #4-5 (check those numbers) above.

b. Park Commission (Marx): did not meet in February, will meet in March

c. Any other commission/committee/district/department reports: minutes received from Harmony Grove Sanitary District & from Lodi Area EMS; on file.

16. Upcoming meeting date(s): next Town Board meeting will be 6 pm on Tuesday, March 29th.

17. Future agenda item(s): the ordinance on the minimum 1.5 acre lot size, and the public access off Summerville, stop sign at Richards/Kohn, request financial statements from Lodi Library, deer problem

18. Adjourn: *Bechen/Benson motion to adjourn at 8:35 pm; MC 5-0*

April D. Goeske
Clerk-Treasurer

DRAFT